
By: Delegate Guns

Introduced and read first time: February 12, 1996
Assigned to: Environmental Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 12, 1996

CHAPTER ____

1 AN ACT concerning

2 **Water Appropriation Permits - Exemption**

3 FOR the purpose of exempting certain subdivisions from the requirement to obtain a
4 water appropriation permit from the Department of the Environment under certain
5 circumstances; and generally relating to water use and appropriation.

6 BY repealing and reenacting, without amendments,
7 Article - Environment
8 Section 5-502(a)
9 Annotated Code of Maryland
10 (1993 Replacement Volume and 1995 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article - Environment
13 Section 5-502(b)
14 Annotated Code of Maryland
15 (1993 Replacement Volume and 1995 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Environment**

19 5-502.

20 (a) Every person is required to obtain a permit from the Department to
21 appropriate or use or begin to construct any plant, building, or structure which may
22 appropriate or use any waters of the State, whether surface water or groundwater. The
23 permit is obtained upon written application to the Department. The applicant shall

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1 provide the Department with satisfactory proof that the proposed withdrawal of water
2 will not jeopardize the State's natural resources.

3 (b) This section does not apply to use of water for:

4 (1) Domestic purposes other than for heating and cooling; [or]

5 (2) Agricultural purposes, if the average annual water use is less than 10,000
6 gallons per day, except as provided in subsection (c)(2) of this section; OR

7 (3) SUBDIVISIONS OF 10 OR FEWER LOTS FOR RESIDENTIAL PURPOSES,
8 IF:

9 (I) THE WATER SUPPLY FOR EACH LOT IS AN INDIVIDUAL WELL;

10 (II) THE MINIMUM LOT SIZE OF EACH LOT IS 3/4 ACRE;

11 (III) THE SUBDIVISION IS NOT LOCATED WITHIN AN AREA
12 DESIGNATED BY THE DEPARTMENT FOR A SPECIFIC WATER MANAGEMENT
13 STRATEGY; AND

14 (IV) THE SUBDIVIDER OF THE PROPERTY SUBMITS A COPY OF THE
15 FINAL PLAT TO THE DEPARTMENT.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 1996.